

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 WILLIAM G. SMITH,

11 Plaintiff,

12 v.

13 RODULF TRIVENO, RANDY PIERCE,
14 CATHERINE BAUM, GARY FLETCHER,
15 WILLIAM ROLLINS, PATRICK GLEBE,
16 DAN VAN OGLE, KERRI McTARSNEY,
17 DENNIS DAHNE, TAMMY NIKULA,
18 DANO GORTON, KATHY RENINGER,
JOSEPH LOPIN, ELDON VAIL, DAN
PACHOLKE, SEAN MURPHY, STEVE
HAMMOND, and DEPARTMENT OF
CORRECTIONS,

19 Defendants.

No. C11-5401 RBL/KLS

ORDER DENYING MOTION TO
COMPEL

20 Before the Court is Plaintiff's "Motion for An Order Compelling Discovery." ECF No.
21
22 28. Within this document, Plaintiff requests an Order compelling Defendants to answer the
23 interrogatories and request for production of documents that he sent to them on June 8, 2011. *Id.*

24 **DISCUSSION**

25 Plaintiff must confer with opposing counsel in a good faith attempt to resolve any
26 discovery dispute. If the attempt to confer is unsuccessful, Plaintiff may file a motion to compel,

1 which shall include a certification that he, in good faith, conferred or attempted to confer with
2 the person or party failing to make the discovery in an effort to secure the information or
3 material without court intervention in accordance with Fed. R. Civ. P. 37(a)(2)(B).

4 Accordingly, it is **ORDERED**:

5 (1) Plaintiff's Motion (ECF No. 28) is **DENIED**.

6 (2) The Clerk shall send a copy of this Order to Plaintiff and counsel for Defendants.
7

8
9 **DATED** this 12th day of September, 2011.

10
11
12 
13 Karen L. Strombom
14 United States Magistrate Judge
15
16
17
18
19
20
21
22
23
24
25
26